

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/749,583 Confirmation No.: 2709

Applicant : Daryl Carvis, Cromer et al.

Filed : 12/31/2003

Title : REMOTE MANAGEMENT OF BOOT APPLICATION

Art Unit : 2435

Examiner : Nirav B Patel

Docket No. : RPS920030220US1(4036)

Customer No. : 45670

Mail Stop AF
Commission for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 14, 2009 of the Examiner rejecting claims 1-7, 12-18, 38-41, and 48-50.

The item(s) checked below are appropriate:

XXX The following is the Notice of Appeal fee under 37 C.F.R § 1.17(e):

X a. other than small entity: Fee \$ 540.00

 b. small entity: Fee \$ 270.00

 verified statement attached

 verified statement was filed _____.

Commissioner for Patents
October 14, 2009
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Serial No. 10/749,583 Confirm. No.: 2709
Art Unit: 2435 Examiner: Nirav B Patel
Docket: RPS920030220US1(4036)

- A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection was filed on _____ along with authorization to charge (\$60.00) for the fee for the extension of time and this notice of appeal is being filed within that extension period.
- A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with authorization to charge (\$60.00) to credit card, Form PTO-2038 Credit Card Payment Form, for the fee for the extension of time.
- Enclosed is a check in the amount of \$ _____ for the Notice of Appeal fee.
- Please charge the Notice of Appeal fee to credit card.
- If any additional fee is required, please charge Deposit Account No. 500563.

If the Examiner has any questions, comments, or suggestions, the undersigned attorney would welcome and encourage a telephone conference at (512) 243-5936.

Respectfully submitted,

October 14, 2009

/Jeffrey S Schubert/

Date

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